



INTERIOR BOARD OF INDIAN APPEALS

Robert Edwards v. Pacific Regional Director, Bureau of Indian Affairs

41 IBIA 194 (09/12/2005)

Related Board cases:

42 IBIA 40

45 IBIA 42

45 IBIA 121



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
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ROBERT EDWARDS,	:	Order Docketing and Dismissing
Appellant,	:	Appeal
	:	
v.	:	
	:	Docket No. IBIA 05-99-A
PACIFIC REGIONAL DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee.	:	September 12, 2005

On September 8, 2005, the Board of Indian Appeals (Board) received a notice of appeal, dated September 6, 2005, from Robert Edwards (Appellant), pro se. Appellant seeks review of the failure of the Pacific Regional Director, Bureau of Indian Affairs (Regional Director), to issue a decision after Appellant submitted a formal demand pursuant to 25 C.F.R. § 2.8 (Appeal from inaction of official). The matter pending before the Regional Director pertained to a tribal dispute within the Enterprise Rancheria of Maidu Indians of California, involving an alleged recall election conducted on January 15, 2005.

On September 9, 2005, the Board received from the Regional Director a copy of a September 6, 2005, decision he had issued in response to Appellant's request for a decision. It appears that Appellant filed this appeal before receiving notice that the Regional Director had issued a decision.

Because the Regional Director has now issued a decision on the merits, this section 2.8 appeal from the Regional Director's inaction is moot. See William C. Tuttle v. Western Regional Director, 41 IBIA 74 (2005), and cases cited therein. As advised in the Regional Director's September 6, 2005, decision, Appellant may now file an appeal from that decision, should he choose to do so.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, the Board docketed but dismisses this appeal.

I concur:

// original signed
Steven K. Linscheid
Chief Administrative Judge

// original signed
David B. Johnson
Acting Administrative Judge